

76-9403/2

OBC

25 May 26

ALVIN H. GOLDSTEIN, JR.  
PAUL L. WARNER

ALVIN H. GOLDSTEIN, JR.  
PAUL L. WARNER  
TUCKMAN, GOLDSTEIN & PHILLIPS  
555 California Street  
San Francisco, California 94104  
Telephone: (415) 956-5400

WILLIAM G. HUNDLEY  
PLATO CACHERIS  
HUNDLEY & CACHERIS, P.C.  
1709 New York Avenue, N.W., Suite 205  
Washington, D.C. 20006  
Telephone: (202) 833-3583  
Of Counsel

Attorneys for Defendant  
JOHN N. MITCHELL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEPHANIE KIPPERMAN, et al.,

Plaintiffs,

vs.

No. C-75-1211 CBR

JOHN A. McCONE, et al.,

Defendants.

NOTICE OF POSITION ON PLAINTIFFS' MOTION TO  
AMEND AND NOTICE OF OPPOSITION TO DEFENDANT  
UNITED STATES OF AMERICA'S MOTION TO VACATE  
JUDGMENT OR, IN LIEU THEREOF, TO ENTER AN ORDER  
OF DISMISSAL AS TO DEFENDANT JOHN N. MITCHELL

Defendant JOHN N. MITCHELL does not take an adversary  
position on Plaintiffs' motion to amend or to reconsider as it  
involves a matter that is wholly within the Court's discretion and  
affects no significant interest of the Defendant MITCHELL.

With respect to the motion to vacate judgment filed by  
the United States of America, Defendant JOHN N. MITCHELL joins  
the Defendant J. EDWARD DAY and others in their opposition to the  
Government's motion to vacate judgment on the ground that the  
facts disclosed by the Government do not necessitate or justify

(EXECUTIVE REGISTRY FILE)

1 a reopening of this litigation or, in lieu thereof, to enter a  
 2 new order of dismissal as to the Defendant JOHN N. MITCHELL on the  
 3 ground that the United States District Court for the Northern  
 4 District of California lacks personal jurisdiction over said  
 5 defendant.

6 Said opposition and motion are based upon all of the  
 7 records and files in this case and, in particular, the memorandum  
 8 of points and authorities heretofore filed by the Defendant  
 9 MITCHELL in support of his Motion to Dismiss the Third Amended  
 10 Complaint or for Summary Judgment and Defendant DAY'S memorandum  
 11 in support of his Motion to Dismiss.

12 The aforesaid notice, opposition and motion have been  
 13 set for hearing by this Court on May 27, 1976, at 9:00 A.M., in  
 14 the Courtroom of the Honorable Charles B. Renfrew, United States  
 15 District Judge, Courtroom No. 2, United States Courthouse, 450  
 16 Golden Gate Avenue, San Francisco, California.

17 DATED: May 25, 1976.

18 Respectfully submitted,

19 TUCKMAN, GOLDSTEIN & PHILLIPS

20  
 21 BY 

22 ALVIN H. GOLDSTEIN, JR.  
 23 Attorneys for Defendant  
 24 John N. Mitchell  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32

Executive Registry

76-4403/1

OGE

20 May 76

note - Basic

NIF as of

28 May 76

1 CHARLES R. DONNENFELD  
 2 RODNEY F. PAGE  
 3 CAMERON M. BLAKE  
 4 ARENT, FOX, KINTNER, PLOTKIN & KAHN  
 5 1815 H Street, N.W.  
 6 Washington, D.C. 20006  
 7 Telephone: (202) 347-8500

8 STEPHEN S. MAYNE  
 9 DINKELSPIEL, PELAVIN, STEEFEL & LEVITT  
 10 One Embarcadero Center  
 11 San Francisco, CA 94111

12 Attorneys for Defendant  
 13 Richard Helms

14 UNITED STATES DISTRICT COURT  
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 STEPHANIE KIPPERMAN, etc.,	)	
	)	NO. C-75-1211-CBR
17 Plaintiff,	)	
	)	NOTICE OF POSITION
18 vs.	)	AS TO MOTIONS ENTERED
	)	<u>FOR MAY 27, 1976</u>
19 JOHN McCONE, ET AL.,	)	
	)	
20 Defendants.	)	

21 Defendant Richard Helms will not take any position as  
 22 to Plaintiff's Motion to Amend or to Reconsider in this matter,  
 23 which motion is set to be heard on May 27, 1976, at 9 a.m., in the  
 24 Courtroom of the Honorable Charles B. Renfrew, Courtroom No. 2,  
 25 United States Courthouse, 450 Golden Gate Avenue, San Francisco,  
 26 California.

27 Defendant Richard Helms has reviewed the Motion to Enter  
 28 an Order of Dismissal for Lack of Jurisdiction Over the Person  
 29 filed herein by Defendant J. Edward Day. Defendant Helms joins  
 30 in said Motion to Enter an Order of Dismissal for Lack of  
 31 Jurisdiction Over the Person for the reasons set forth therein and

32 /////

/////

DINKELSPIEL, PELAVIN, STEEFEL & LEVITT  
 ONE EMBARCADERO CENTER, 27TH FLOOR  
 SAN FRANCISCO, CALIFORNIA 94111  
 (415) 391-3900

1 in the Brief filed in support of said motion, and on such further  
2 grounds that may be presented at the hearing on said motion.

3 DATED: May 24, 1976

4 Respectfully submitted,

5 ARENT, FOX, KINTNER, PLOTKIN & KAHN

6 DINKELSPIEL, PELAVIN, STEEFEL & LEVITT

7  
8 By

  
Stephen S. Mayne

9 Attorneys for Defendant Richard Helms  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

DINKELSPIEL, PELAVIN, STEEFEL & LEVITT  
ONE EMBARCADERO CENTER, 27TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94111  
(415) 391-3900

UNCLASSIFIED	CONFIDENTIAL	SECRET
--------------	--------------	--------

# EXECUTIVE SECRETARIAT

## Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	DDS&T				
4	DDI				
5	DDO				
6	DDM&S				
7	D/DCI/IC				
8	D/ONE				
9	OGC	✓			
10	OLC				
11	IG				
12	D/PPB				
13	D/Pers				
14	D/OS				
15	D/Tmg				
16	SAVA				
17	ASST/DCI				
18	AO/DCI				
19					
20					
21					
22					
SUSPENSE		Date			

Remarks:

Date

*[Signature]*

(EXECUTIVE SECRETARY FILE)

<b>TRANSMITTAL SLIP</b>		DATE
TO:		
OGC		
ROOM NO.	BUILDING	
REMARKS:		
FROM:		
DCI		
ROOM NO.	BUILDING	EXTENSION